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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,064	04/13/2001	Giovanni Giuffrida	HRL065	3890

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TOPE-MCKAY & ASSOCIATES
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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT PAPER NUMBER

2175

DATE MAILED: 04/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/835,064

Applicant(s)

GIUFFRIDA ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The amendment filed on February 2, 2004 has been received and entered. Claims 1-16 are pending.

2. Amendment to the abstract is hereby acknowledged.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 7-13, and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Syeda-Mahmood (U.S. Patent No. 5,920,856).

As to claims 1, and 9, Syeda-Mahmood discloses an apparatus, a method for automatically extracting metadata from electronic documents comprising a first processing element, a second processing element, a reasoning element, and a database (See figure 1), wherein,

i) said first processing element is further configured to convert electronic documents into files (See column 7, lines 1-39, also see column 12, lines 47-55);

ii) said first processing element is configured to provide the files to a second processing element (See column 7, lines 1-39, wherein “first processing element” reads on “

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translator module” residing with the meta database since it converts electronic documents from different Web sites into records stored at a central location);

iii) said second processing element is configured to receive said files and extract predetermined information (See column 7, lines 1-45);

iv) said second processing element is further configured to provide said extracted predetermined information to said reasoning element (See column 7, lines 1-45, wherein “second processing element” reads on “search agent”, wherein “predetermined information” reads on “metadata”);

v) said database is configured to also provide input to said reasoning element (See column 7, lines 15-38);

vi) said reasoning element is configured to use a set of rules to extract metadata from the files (See column 6, lines 1-22, and see column 7, lines 14-38);

vii) reasoning element provides an output of metadata (See column 5, lines 24-38, wherein “reasoning element” reads on “refining module”).

As to claims 2, and 10, Syeda-Mahmood discloses an apparatus for automatically extracting metadata from electronic documents, wherein said files are substantially format invariant data files such as Postscript files (See column 5, lines 47-65).

As to claims 3, and 11, Syeda-Mahmood discloses wherein said predetermined information is substantially spatial layout facts (See column 9, lines 51-67, and see column 10, lines 15-36).

As to claims 4, and 12, Syeda-Mahmood discloses wherein the second processing element and said database simultaneously input to the reasoning element (See column 4, lines 6-17).

As to claims 5, and 13, Syeda-Mahmood discloses wherein said set of rules can be updated (See column 6, lines 1-22, and see column 7, lines 14-38).

As to claims 7, and 15, Syeda-Mahmood discloses wherein said metadata is provided to a user interface (See Syeda-Mahmood column 4, lines 6-51, also see column 9, lines 11-38, wherein “user interface” reads on “browser”).

As to claims 8, and 16, Syeda-Mahmood discloses wherein said metadata is provided to a storage medium (See Syeda-Mahmood column 6, lines 1-59, and see Syeda-Mahmood column 7, lines 29-59).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 6, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood (U.S. Patent No. 5,920,856) in view of Chang et al. (U.S. Patent No. 6,584,479 B2).

As to claims 6, and 14, Syeda-Mahmood does not teach wherein said metadata is substantially comprised of title, author, affiliation, author affiliation, and table of contents.

Chang et al. teaches wherein said metadata is substantially comprised of title, author, affiliation, author affiliation, and table of contents (See column 5, lines 35-67, and see column 6, lines 1-9).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Syeda-Mahmood to include wherein said metadata is substantially comprised of title, author, affiliation, author affiliation, and table of contents.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Syeda-Mahmood by the teaching of Change et al. to include wherein said metadata is substantially comprised of title, author, affiliation, author affiliation, and table of contents because it allows for user customization of query refinement selections and faster access to query results.

Response to Arguments

7. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
April 8, 2004


CHARLES RONES
PRIMARY EXAMINER